

## **CHAPTER 1.0**

### **INTRODUCTION**

#### **1.1 PURPOSE AND SCOPE OF THE EIR**

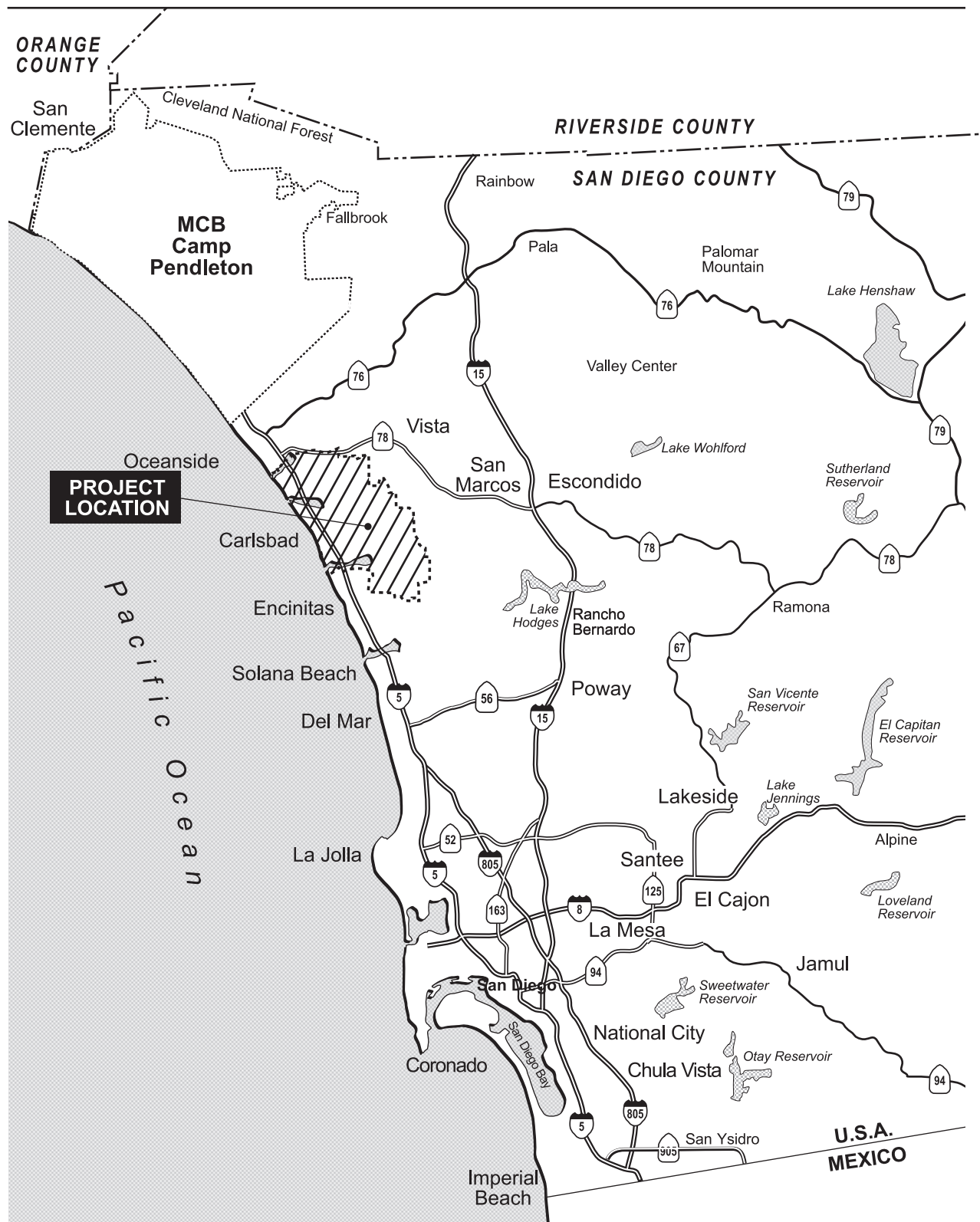
The City of Carlsbad (City) is responsible for the construction, operation, maintenance, and management of storm water drainage systems within City boundaries (Figure 1-1). As a result, the City proposes to implement a Drainage Master Plan Update (DMP Update). The existing Master Drainage and Storm Water Quality Management Plan (MDSQMP) was adopted by the City in 1994 and amended in 1996. The DMP Update represents an update to the drainage infrastructure aspects of the existing 1994 MDSQMP (with 1996 update). The DMP Update does not include any updates to the storm water quality components of the existing 1994 MDSQMP. This Environmental Impact Report (EIR) addresses the potential environmental consequences of the construction and/or operation of the proposed project components included in the DMP Update.

The DMP Update represents a comprehensive program for the phased and orderly development of drainage infrastructure. The DMP Update serves to:

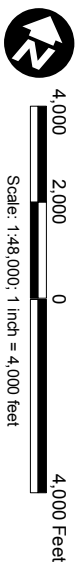
- assess existing storm drain infrastructure and drainage areas,
- identify anticipated improvements and additional infrastructure required to accommodate storm flows resulting from future development within Carlsbad, and
- provide guidance on developing a Planned Local Drainage Area (PLDA) fee program to facilitate construction of specific drainage facilities.

Project components are identified in Figure 1-2 and described in Chapter 3.0 (Project Description) of this document.

The City is the lead agency in preparing this EIR in accordance with the California Environmental Quality Act (CEQA) of 1970 statutes (Cal. Pub. Res. Code, Section 21000 et seq., as amended) and implementing State CEQA Guidelines (Cal. Code Regs., Title 14, Section 15000 et seq., 1998). The Carlsbad City Council is the decision-making body responsible for approving the DMP Update and certifying the EIR.



**Figure 1-1**  
**Regional Location Map**



Source: AirPhoto/USA 2006; SanGIS 2006; USGS Hydrography 1997

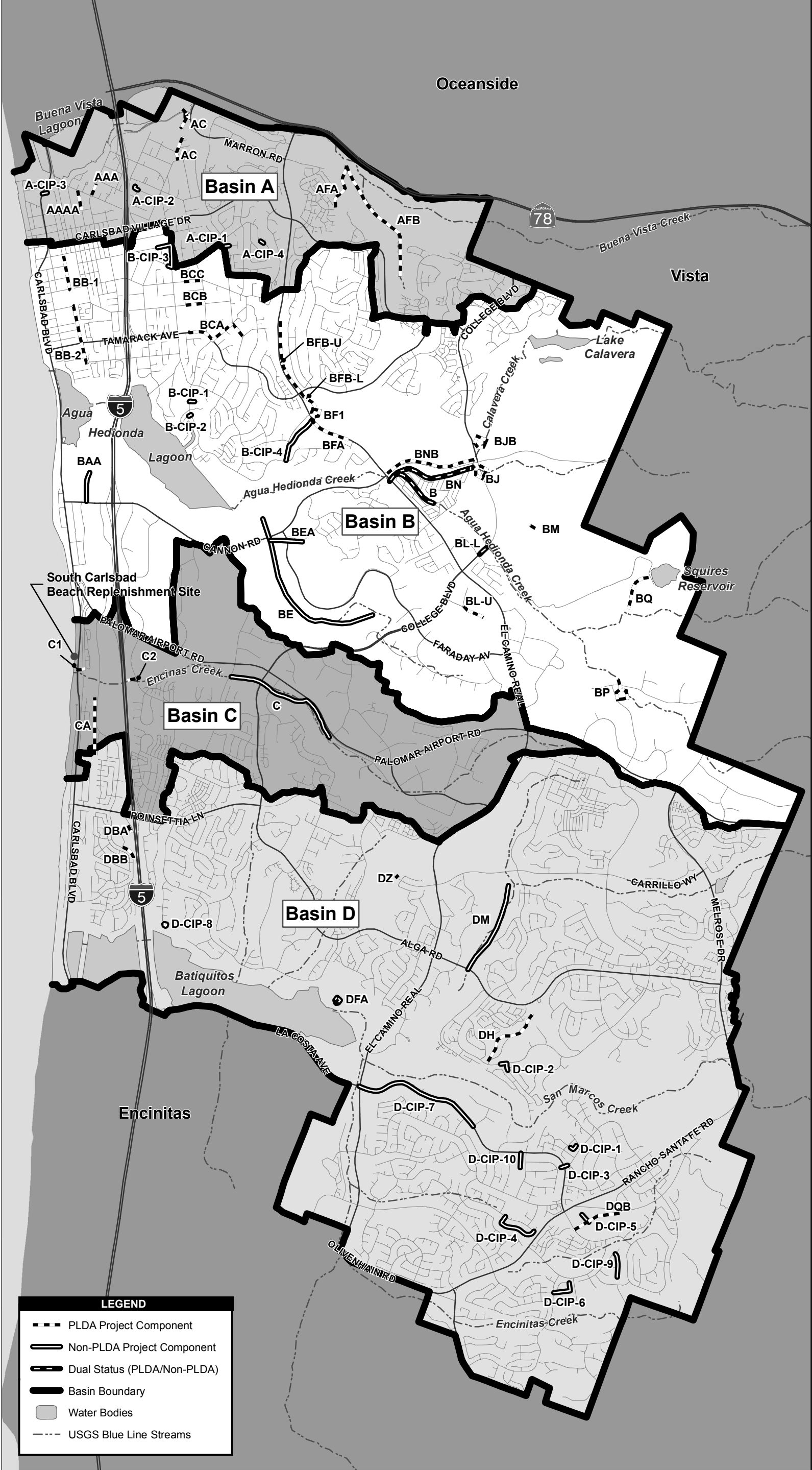


Figure 1-2  
Overview of DMP Update Project Components

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This EIR includes a program level assessment of the potential impacts of the actions anticipated to be implemented under the DMP Update. Each of the components included in the DMP Update is currently in a different stage of planning and design, with some facilities nearing design completion. For this reason, to facilitate implementation of these near-term actions, this EIR also includes a project level assessment for those actions and projects with available detailed design information. The project components that are evaluated at the project level are those involved with the dredging and improvements to Agua Hedionda and Calavera creeks, which are described in detail in Chapter 3.0 (Project Description).

This EIR represents the best effort to evaluate environmental impacts associated with implementation of the DMP Update given its long-term planning horizon. It can be anticipated that development conditions could change; however, the assumptions used are the best available at the time of preparation and reflect existing knowledge of patterns of development, land use designations, and technological factors related to engineering and design.

The EIR is organized into nine chapters, of which seven key chapters are described below. Chapter 8.0 includes the list of preparers and Chapter 9.0 includes references cited.

**Executive Summary.** This section summarizes the purpose and objectives of the DMP Update and describes project design features, construction methods, and agency requirements that serve to minimize environmental impacts associated with implementation of the DMP Update. The section also reviews the potentially significant adverse environmental impacts of the DMP Update, as well as the measures recommended to mitigate those impacts. The executive summary also notes whether those measures mitigate associated significant impacts to below a level of significance. Finally, the executive summary describes alternatives to the DMP Update.

**Chapter 1.0: Introduction.** This chapter describes the relationship between the DMP Update and the EIR, the different levels of analysis provided in the EIR, and the basic legal requirements of a program level EIR. It also outlines the scoping process and provides a summary of comments received during the Notice of Preparation (NOP) review period.

**Chapter 2.0: Environmental Setting.** This section includes a brief overview of the physical characteristics of the study area and surrounding region, identifies rare or unique environmental resources within Carlsbad, and provides other CEQA-required disclosures.

**Chapter 3.0: Project Description.** This chapter introduces the purpose and objectives of the DMP Update, defines the context for the DMP Update, and provides specific information about

the DMP Update document. The DMP Update itself is the project evaluated in this EIR. The DMP Update includes master drainage components covered by the PLDA fee program (PLDA projects), as well as additional drainage projects required to accommodate storm flows within Carlsbad or rehabilitate existing infrastructure, but not covered in the PLDA fee program (i.e., non-PLDA projects). In addition, the DMP Update includes categories of operation and maintenance activities associated with those proposed PLDA and non-PLDA components. Operation and maintenance activities are not covered by the PLDA fee program. The project description also identifies the level of analysis provided in the EIR for each component and indicates whether a program level or project level analysis is included.

**Chapter 4.0: Environmental Analysis.** This chapter describes the existing environmental setting for each of the issue areas analyzed in the EIR, the potential significant impacts that the DMP Update would have on these areas, and measures to mitigate identified potential significant impacts. Environmental issues analyzed in the EIR include:

- Land Use
- Agricultural Resources
- Visual Resources
- Transportation/Circulation
- Air Quality
- Noise
- Recreation
- Geology/Soils
- Hydrology/Water Quality
- Biological Resources
- Cultural Resources
- Paleontological Resources

For each of the environmental issue areas, the analysis includes the following: (1) Existing Conditions, (2) Significance Criteria, (3) Impact Analysis, (4) Significance of Impacts, (5) Mitigation Measures, and (6) Residual Impacts. The mitigation measures will be incorporated into a Mitigation, Monitoring, and Reporting Program to be adopted by the City as conditions of approval for the project.

**Chapter 5.0: Cumulative Impacts.** A cumulative impact analysis is provided to evaluate the potential impacts resulting from the incremental impact of the DMP Update when added to impacts associated with other closely related past, present, and reasonably foreseeable future projects.

**Chapter 6.0: Other Considerations Required by CEQA.** This chapter identifies significant unavoidable environmental changes, significant irreversible impacts, growth-inducing impacts,

effects not found to be significant, and mandatory findings of significance as warranted by the environmental analysis.

**Chapter 7.0: Alternatives.** This chapter evaluates and compares alternatives to the DMP Update, including the No Project Alternative. All alternatives are compared for their potential to achieve the objectives of the DMP Update while reducing potentially significant adverse environmental impacts.

### **1.1.1 CEQA Requirements**

This EIR has been prepared pursuant to CEQA (Public Resources Code Section 21000 and its implementing guidelines, California Code of Regulations, Title 14, Section 15000 CEQA Guidelines) and the Title 19 (Environmental Protection Procedures) of the City's Municipal Code (City of Carlsbad 2001). All projects identified in the DMP Update are subject to environmental review and clearance (or exemption); therefore, the DMP Update serves as the basis of analysis for this EIR. This environmental assessment fulfills the requirements of CEQA and is designed to inform decision-makers and the general public of the project, in this case the DMP Update itself, and the range of potential environmental impacts of the associated activities. The EIR recommends a set of measures to mitigate any significant adverse impacts identified in the analysis of the DMP Update project components. This EIR also analyzes alternatives to the DMP Update.

Following approval of the DMP Update, this EIR will facilitate the efficient environmental clearance of individual projects anticipated by the DMP Update. Proposed projects that are evaluated at a project level may not require additional environmental documentation if there are no substantial changes in the project description or circumstances, no additional environmental impacts would occur, and no additional mitigation would be required.

The DMP Update also provides three PLDA fee alternatives and recommends an optimum fee program. However, economic changes are not considered a significant effect on the environment, per CEQA Section 15064(f). Therefore, the PLDA fee program is not evaluated within this EIR, because analysis of the proposed PLDA fee program is not within the purview of CEQA.

## **1.2 NOTICE OF PREPARATION**

CEQA regulations require an early and open process for determining the scope of issues that should be addressed prior to implementation of a proposed action. The City initiated the scoping process on March 29, 2006, through the release of an NOP, soliciting public input on the content and scope of the EIR. The California State Clearinghouse is responsible for the coordination of the review of environmental documents by state agencies. The Clearinghouse assigned state identification number SCH No. 2006041066 to this EIR.

The NOP provided notification to all federal, state, and local agencies involved with funding or approval of the project, and to other interested organizations and members of the public, that an EIR would be prepared for the project. The NOP is intended to encourage interagency communication concerning the proposed project and provide sufficient background information about the proposed project so that agencies, organizations, and individuals can respond with specific comments and questions on the scope and content of the EIR. A copy of the NOP and copies of all written responses received during the 30-day NOP public review period are provided in Appendix A.

## **1.3 PUBLIC SCOPING**

Consistent with Section 21083.9 of the CEQA statutes, a scoping meeting was held during the NOP public review period to solicit input from the public and affected agencies regarding preparation of the EIR. The meeting occurred at the City's Faraday Center (located at 1635 Faraday Avenue) on April 12, 2006.

Issues raised during the public review period relating to CEQA and the scope of the EIR primarily pertained to the project description and potential impacts to biological resources and hydrology/water quality. Comments received in response to the NOP are included in Appendix A. Substantive comments included in Appendix A are addressed in Chapter 4.0 (Environmental Analysis) in this EIR. An analysis of hydrology and water quality impacts is included in Section 4.9. The analysis related to biological resources is included in Section 4.10.



## **1.4 USE OF THIS EIR**

This EIR analyzes the effects of the DMP Update and the majority of its components at a program level, which is more general than a project level analysis.<sup>2</sup> A program EIR can be used for an agency program or series of actions that can be characterized as one large project. Typically, such a project involves actions that are closely related geographically (Cal. Code of Regs., Title 14, Section 15168(a)(1)), for agency programs (Section 15168(a)(3)), or as individual acts carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects that can be mitigated in similar ways (Section 15168(a)(4)). Program EIRs generally analyze broad environmental effects of the program with the acknowledgement that site-specific environmental review may be required for individual aspects of portions of the program when they are proposed for implementation (Section 15168(a)).

Each of the components included in the DMP Update is currently in a different stage of planning and design, with some facilities nearing design completion, while others remain in preliminary planning stages. Because the DMP Update is a planning document intended to assess drainage infrastructure needs several decades into the future, there is not enough specific information available to identify all necessary future components or to provide detailed analysis of each project. Different degrees of project information are currently available for each proposed facility, and the EIR analyzes each facility to the level of detail possible given the stage of project design.

Some of the components that are further along in the design are evaluated at a project level within this EIR (i.e., those associated with the Agua Hedionda and Calavera creeks dredging and improvements, as described in Chapter 3.0 [Project Description] of this document), which is anticipated to provide adequate review for project approval consideration without subsequent CEQA documentation. The City will conduct project level environmental review during the design phase for all proposed DMP Update project components addressed at a program level in this EIR, as well as any project components identified in the future. This review will determine whether the project, including construction- and/or operation-related activities, is consistent with what was described within the scope of the EIR and whether the project may cause a significant effect on the environment that was not originally examined in the EIR. This review of program components will determine whether an additional CEQA analysis and/or document is required.

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<sup>2</sup> The EIR includes a project level analysis for project components related to the dredging and improvements to Agua Hedionda and Calavera creeks, as described in Chapter 3.0 (Project Description).

This EIR will be used to streamline the environmental review process. Where subsequent components and/or activities are found to be within the scope of the DMP Update as described in this EIR, and no additional environmental effects could occur beyond those examined in this EIR, additional environmental analysis and documentation would not be required. The detailed requirements of how to use a program EIR for later activities are specified in CEQA Guidelines Section 15168(c).

If a subsequent activity is determined to have effects that are not adequately addressed within the EIR, the project level environmental review described above would be prepared for the specific activity to allow the City to make an environmental determination regarding the appropriate supplemental or subsequent CEQA document to address the proposed DMP Update component. Such documents include an Addendum, Negative Declaration, Mitigated Negative Declaration, or EIR. Subsequent CEQA documents would incorporate by reference the general discussions from this broader EIR, primarily concentrating on the issues specific to the action being evaluated. Project design features/methods and applicable mitigation measures would also be incorporated into subsequent project components. If the City, as lead agency under CEQA, determines that a proposed project would have no additional effect on the environment that was not identified in the EIR and that no new or additional mitigation measures or alternatives would be required, the City will make a written finding based upon the information contained in the original CEQA analysis that the project is within the scope of the EIR (Section 15091). This process for project level environmental review would be conducted for program level PLDA, non-PLDA, and operation and maintenance activities identified in this EIR, as well as for potential future DMP components, identified as development in the city continues, which are not currently included in the DMP Update.

## 1.5 DISCRETIONARY ACTIONS

The lead agency for the DMP Update is the City. It is anticipated that discretionary approvals/permits will be required from the City as well as the U.S. Army Corps of Engineers (USACE), the U.S. Fish and Wildlife Service (USFWS), the California Department of Fish and Game (CDFG), the Regional Water Quality Control Board (RWQCB), the California Department of Transportation (Caltrans), and the California Coastal Commission (CCC). Refer to Table 3-6 in Chapter 3.0 (Project Description) for more detail regarding the anticipated approvals required for implementation of the DMP Update.